

St. Louis City Ordinance 64319

FLOOR SUBSTITUTE

BOARD BILL NO. [97] 299

INTRODUCED BY ALDERMAN Phyllis Young

An ordinance approving the Addendum No. 5 to the Development Plan of Laclede's Landing Redevelopment Corporation dated October 22, 1997, amending the Development Plan approved by Ordinance 57085 as previously amended by Addendum No. 2 approved by Ordinance 58515 to correct various exhibits and extend certain performance time, Addendum No. 3 approved by Ordinance 62738 to update the Plan; Addendum No. 4 approved by Ordinance 63109 to provide for a land use change in one city block; authorizing the Mayor and the Comptroller to enter into an amendment contract on behalf of the City of St. Louis with Laclede's Landing Redevelopment Corporation; setting forth the terms and conditions of said amendment contract; and containing a severability clause.

WHEREAS, the Board of Aldermen (the Board) by Ordinance 57085 approved the Development Plan of Laclede's Landing Redevelopment Corporation (the Redeveloper) dated July 11, 1975, as revised by Addendum No. 1 dated September 16, 1975, and authorized the Mayor and Comptroller to enter into an agreement between the City of St. Louis (the City) and the Redeveloper; and

WHEREAS, the Board by Ordinance 58515 approved the Addendum No. 2 dated November 11, 1981, revised December 7, 1981, to the Development Plan of the Redeveloper and authorized the Mayor and the Comptroller to enter into an amending agreement between the City and the Redeveloper; and

WHEREAS, the Board by Ordinance 62738 approved Addendum No. 3 dated July 27, 1992, to the Development Plan of the Redeveloper and authorized the Mayor and Comptroller to enter into an amending agreement between the City and the Redeveloper; and

WHEREAS, the Board by Ordinance 63109 approved Addendum No. 4 dated September 8, 1993, to the Development Plan of the Redeveloper and authorized the Mayor and Comptroller to enter into an amending agreement between the City and the Redeveloper; and

WHEREAS, the Redeveloper and the City desire to amend the Development Plan as amended by Addenda No. 1, No. 2, No. 3, and No. 4 to extend the rights of the Redeveloper to acquire property in the area by eminent domain; and

WHEREAS, the Redeveloper did on October 22, 1997, submit an Addendum No. 5 dated October 22, 1997 to the Community Development Commission (the "CDC"); and

WHEREAS, the CDC did adopt a resolution on December 2, 1997 approving said Addendum No. 5 dated October 22, 1997, which resolution was duly transmitted to the Mayor and to the Board; and

WHEREAS, it was determined that the Addendum No. 5 is in the public interest and serves the public purpose.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. It is hereby determined, found and declared that the Addendum No. 5 to the Development Plan of the Redeveloper dated October 22, 1997, as approved by the CDC, and as thereafter transmitted by the Mayor to the Board, is in the public interest and is incorporated herein by reference in its entirety (herein termed "Addendum No. 5")

SECTION TWO. The Mayor and the Comptroller of the City shall be and are hereby authorized and directed to enter into and perform in behalf of the City a contract by and between said City and the Redeveloper, its successors and assigns.

SECTION THREE. The said contract is hereby made a part of this ordinance and said contract shall be substantially in words and figures as follows:

AGREEMENT

An agreement entered into this day of , 19 , between the City of St. Louis (the "City") and Laclede's Landing Redevelopment Corporation, its subsidiaries, its successors and assigns, (the "Redeveloper") to amend the Development Plan of the Redeveloper to include Addendum No. 5 to the Development Plan heretofore submitted by the Redeveloper, approved and enacted by the Board of Aldermen of the City (the "Board") by the ordinance of which this Agreement is a part;

WHEREAS, this Board has enacted into law Ordinance 57085 approving the Development Plan of the Redeveloper for Development of Laclede's Landing dated July 11, 1975, as amended by Addendum No. 1 dated September 16, 1975; and

WHEREAS, the board has enacted into law Ordinance 58515 approving the Addendum No. 2 submitted by the Redeveloper dated November 11, 1981, and as revised on December 7, 1981 (the Addendum No. 2); and

WHEREAS, the Board has enacted into law Ordinance 62738 approving the Addendum No. 3 submitted by the Redeveloper dated July 27, 1992 (the Addendum No. 3); and

WHEREAS, the Board has enacted into law Ordinance 63109 approving the Addendum No. 4 submitted by the Redeveloper dated September 8, 1993 (the Addendum No. 4); and

WHEREAS, said ordinance directs the Mayor and the Comptroller of the City to enter into a contract with the Redeveloper to amend the said Development Plan.

NOW, THEREFORE, the City and the Redeveloper, its successors and assigns, do agree as follows:

Whenever the term Development Plan is used in the (i) Development Plan of the Redeveloper for Development of Laclede's Landing dated July 11, 1975, as amended by Addendum No. 1 dated September 16, 1975, Addendum No. 2 dated November 11, 1981, revised December 7, 1981, Addendum No. 3 dated July 27, 1992, and Addendum No. 4 dated September 8, 1993 and (ii) the Agreement between the City and the Redeveloper made a part of Ordinance 57085 as amended by the Agreement made part of Ordinance 58515, as amended by the Agreement made a part of Ordinance 62738, it shall refer to the Development Plan incorporated by reference in Ordinance 57085 as amended by Addendum No. 2 thereto approved by Ordinance 58515 as amended by Addendum No. 3 thereto approved by Ordinance 62738, and as amended by Addendum No. 4 thereto approved by Ordinance 63109, and as amended by Addendum No. 5 thereto approved by the ordinance approving this Agreement together with amendments and modifications, if any thereto.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

CITY OF ST. LOUIS

By:
Mayor

By:
Comptroller

LACLEDE  S LANDING
REDEVELOPMENT CORPORATION

By:
President



ATTEST:

By:
Secretary

ATTEST:

Approved as to form:
City Counselor

SECTION FOUR. The sections of this Ordinance shall be severable. in the event that any Section of this Ordinance is found by a Court of competent jurisdiction to be unconstitutional the remaining Section of this Ordinance are valid unless the Court finds the valid Sections of this Ordinance are so essentially and inseparably connected with, and so dependent upon, the void Section that it cannot be presumed that the Aldermen would have enacted the valid sections without the void ones; or unless the Court finds that the valid Sections standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

ADDENDUM #5 DATED OCTOBER 22, 1997
TO DEVELOPMENT PLAN OF
LACLEDE  S LANDING REDEVELOPMENT CORPORATION
FOR DEVELOPMENT OF LACLEDE  S LANDING
DATED JULY 11, 1975

The following Addendum #5 dated October 22, 1997 is this day adopted by Laclede's Landing Redevelopment Corporation, amending and modifying the Development Plan of Laclede's Landing Redevelopment Corporation for development of Laclede's Landing dated July 11, 1975, as previously amended by Revised Addendum #1 dated September 16, 1975, Addendum #2 dated November 11, 1981 and revised December 7, 1981, Addendum #3 dated July 27, 1992, and Addendum #4 dated September 8, 1993, in and to the extent herein provided.

1. Section 17, subparagraph (e), page 21, as previously amended, is amended to read as follows:

(e) Notwithstanding any restriction on the Corporation's right of eminent domain, the Corporation may acquire property in the area by eminent domain at any time prior to December 31, 2001 which it considers necessary or convenient to the development of the area provided that its acquisitions under this paragraph exclusive of any acquisitions under other paragraphs or sections hereof shall not exceed 30% of the total net land area exclusive of streets, alleys and public ways.

2. Section 22, Procedure for Development, subparagraph (b), page 29, as previously amended, is amended to read as follows:

(j) Notwithstanding the procedure for execution of Parcel Development Agreements, the Corporation may acquire properties in the Area at any time prior to December 31, 2001, not to exceed 30% of the total land area by eminent domain if such land is convenient to necessary to further the objective and purposes of the Plan.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
01/16/98	01/16/98	HUDZ		
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
02/27/98			03/06/98	03/13/98
ORDINANCE	VETOED		VETO OVR	

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